




Order Filed on December 4, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-1 DENISE CARLON, ESQUIRE KML LAW GROUP, P.C. Sentry Office Plz 216 Haddon Ave. Suite 406 Westmont, NJ 08018 (215)627-1322 <a href="mailto:dcarlton@kmlawgroup.com">dcarlton@kmlawgroup.com</a> Attorneys for Secured Creditor PNC Bank, National Association	
In Re:	Case No.: 19-20673 VFP
Umit Arat,	Adv. No.:
Debtor.	Hearing Date: 10/17/19 @ 8:30 a.m.
	Judge: Vincent F. Papalia

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S  
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED**

**DATED: December 4, 2019**

  
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**Honorable Vincent F. Papalia**  
**United States Bankruptcy Judge**

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Debtor:

Umit Arat

Case No.:

19-20673 VFP

Caption:

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO  
DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, PNC Bank, National Association, holder of a mortgage on real property located at 175 West 2nd Street, Clifton, NJ, 07011, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and David G. Beslow, Esquire, attorney for Debtor, Umit Arat, and for good cause having been shown;

It **ORDERED, ADJUDGED and DECREED** PNC's claim shall be allowed as a non-priority general unsecured claim and shall be paid as such in accordance with the Debtors' Chapter 13 Plan

It is **FURTHER ORDERED, ADJUDGED and DECREED** The avoidance of PNC's second lien is contingent upon the Debtors' completion of the Chapter 13 plan and the Debtors' receipt of a Chapter 13 discharge

It is **FURTHER ORDERED, ADJUDGED and DECREED** PNC, N.A. shall retain its lien for the full amount due under the subject loan in the event of either the dismissal of the Debtors' Chapter 13 case or the conversion of the Debtors' Chapter 13 case to any other Chapter under the United States Bankruptcy Code

It is **FURTHER ORDERED, ADJUDGED and DECREED** Each party shall bear their own attorney's fees and costs incurred in the present case number

It is **FURTHER ORDERED, ADJUDGED and DECREED** In the event that the property is destroyed or damaged, pursuant to the mortgage, PNC, N.A. is entitled to its full rights as a loss payee with respect to the insurance proceeds and has a security interest in such proceeds up to the entire balance due on the mortgage

It is **FURTHER ORDERED, ADJUDGED and DECREED** In the event that any entity, including the holder of the first lien on the Subject Property forecloses on its security interest and extinguishes Creditor's lien prior to the Debtors' completion of the Chapter 13 plan, PNC's lien shall attach to the surplus proceeds of the foreclosure sale for the full amount of the subject loan balance at the time of the sale

It is **FURTHER ORDERED, ADJUDGED and DECREED** PNC, N.A. shall retain its lien for the full amount due under the subject loan should the subject property be sold, or should a refinance take place prior to the Chapter 13 plan completion and entry of a Discharge, and objection to confirmation is hereby resolved.